

REMARKS

Claims 1-13 are pending in this application. The Examiner is thanked for indicating claims 3 and 13, allowable.

Claims 1 and 2 have been amended to recite that component (c) is present in an amount of 41 to 46 wt%. Support for this amendment appears throughout the specification and claims as originally filed.

No new matter has been added.

It is believed that this Amendment is fully responsive to the Office Action dated **April 21, 2004**.

In view of the amendments to the claims and the remarks set forth below, further and favorable consideration is respectfully requested.

II. *Claims 1, 2 and 4-12 are rejected under 35 U.S.C. §102(b) as being anticipated by Hayashi et al., U.S. Patent No. 5,013,797 (hereinafter "Hayashi").*

The Examiner states that Hayashi teaches a highly saturated copolymer that meets the limitations of claims 1-2 and 4-12.

Hayashi teaches 5 to 40 wt% of an unsaturated nitrile monomer. Claims 1 and 2 have been amended to recite that component (c) is present in an amount of 41 to 46 wt%.

U.S. Patent Application Serial No. **10/089,104**
Amendment dated June 21, 2004
Reply to OA of **April 21, 2004**

In view of the amendments to the claims, it is submitted that Hayashi does not teach each and every element of the claimed invention, as required for anticipation under 35 USC § 102. Accordingly, the Examiner is respectfully requested to withdraw this rejection.

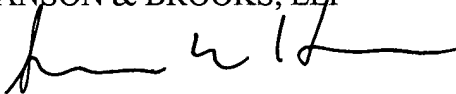
In view of the aforementioned amendments and accompanying remarks, it is submitted that the claims are in condition for immediate allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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